



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,026	11/17/2003	Pil-Hee Lee	P3056/VIPC	2789

26530 7590 12/01/2005
LADAS & PARRY LLP
224 SOUTH MICHIGAN AVENUE
SUITE 1600
CHICAGO, IL 60604

EXAMINER

GUIDOTTI, LAURA C

ART UNIT PAPER NUMBER

1744

DATE MAILED: 12/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/715,026

Applicant(s)

LEE, PIL-HEE

Examiner

Laura C. Guidotti

Art Unit

1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. The claims are objected to because they include reference characters which are not enclosed within parentheses.

Reference characters corresponding to elements recited in the detailed description of the drawings and used in conjunction with the recitation of the same element or group of elements in the claims should be enclosed within parentheses so as to avoid confusion with other numbers or characters which may appear in the claims. See MPEP § 608.01(m).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 Lines 1-2 recite, "...a frame into which a sack-shaped dust cloth is inserted..." However, the specification and drawings support a cloth into which a frame is inserted, the converse of what is claimed. The Examiner has interpreted that the Applicant meant to state that the frame is inserted into the cloth.

Claim 6 Lines 4-6 are confusing in that it recites, "...wherein the circular grooves...so that they are selectively contained within the circular grooves..." It is unclear as to what is meant.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Coleman, USPN 2,634,444.

Coleman discloses the claimed invention including a frame (28) to which a “sack-shaped” dust cloth is inserted (24) and a handle (26) formed to extend toward one side of the frame (see Figures 2-3), a magnetic sheet (22) having magnetism (Column 1 Lines 46-48) and provided in the frame (via “30”), and is capable of adhering to an exterior of a vehicle by means of magnetism (as it is magnetic, and capable of adhering to surfaces that respond magnetically).

4. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Wollner, USPN 2,934,779.

Wollner discloses the claimed invention including a frame (15) to which it is inserted into a “sack-shaped” dust cloth (10) and a handle is formed to extend towards one side of the frame (11; Column 2 Lines 27-30), and further includes a magnetic sheet (12) having magnetism (Column 1 Lines 41-45) and is provided in the frame (see Figures), wherein the frame is closely adhered to the exterior of the vehicle by magnetism (see Figure 1; Column 1 Lines 31-36). There is an insertion groove formed

Art Unit: 1744

in the bottom of the frame (grooves where "12" are inserted) so that the magnetic sheet forms a flat surface along the bottom of the frame (see Figure 3). The frame and handle are integrally formed of a synthetic resin and the magnetic sheet is insert-molded into the frame (Column 2 Lines 23-27). Additionally, there is a receiving space element having an opening that is formed within the frame in a longitudinal direction (the receiving space element may be considered to be where the magnets 12 are inserted) so that the magnetic sheet is capable of being selectively received, and an open/close plug (13) detachably attached to the opening (Column 2 Lines 23-27). The magnetic sheet may comprise small-sized magnetic sheets (multiple magnets "12"; the device may have one or more, Column 2 Line 26), and a number of receiving grooves into which the small-sized magnetic sheets are received (grooves where "12" have been inserted, Figure 3), the grooves are separated by diaphragms and are formed in the bottom of the frame (see Figure 3, the diaphragms are considered to be the material between magnets 12, and are formed in the bottom of the frame), and a cover (13) is inserted into the frame to shut the receiving groove.

Allowable Subject Matter

5. Claims 5-6 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter:

Art Unit: 1744

None of the prior art made of record includes a duster including a magnetic sheet provided in a frame that further includes (A) a magnetic sheet that comprises small-shaped magnetic sheets, a number of receiving grooves into which the small-shaped magnetic sheets are received, wherein the receiving grooves are separated by diaphragms and are formed in the bottom of the frame, sliding grooves formed at both lower sides of the receiving grooves, and a cover having sliding jaws inserted into sliding grooves or (B) a magnetic sheet divided in plural to form circular magnetic sheets, a number of circular grooves whose inner circumference has spiral grooves, wherein the circular grooves are formed at a lower part of the frame, and circular caps each having a spiral groove at its outer circumference, being screwed with the circular groove, and having a grasp groove at its one side.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura C. Guidotti whose telephone number is (571) 272-1272. The examiner can normally be reached on Monday-Thursday, 7:30am - 5pm, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (571) 272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1744

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LCG
23 November 2005



MARK SPISICH
PRIMARY EXAMINER
GROUP ~~3400~~
1700